IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITINO NO.900 OF 2006

Nandu Baloba Dombe
and Ors. ...Petitioners.

Versus

The State of Maharashtra
and Ors. ...Respondents.

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Mr.S.M.Sabrad, Advocate for the Petitioners.
Mr.A.S.Gadkari, APP,for the State.

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CORAM : D.G.DESHPANDE AND
SMT.V.K.TAHILRAMANI,JJ.

DATED : APRIL 21, 2006.

ORAL ORDER (PER Smt.TAHILRAMANI,J.)

. Heard learned Advocate for the petitioners and learned APP for the State.

2. Rule. By consent Rule is made returnable forthwith.

3. It is the case of the petitioners that the marriage of Nilraj, who is son of petitioner No.1 and nephew of petitioner Nos.2 & 3, is to take place on 30.4.2006. Hence, the petitioners have prayed that they may be released on furlough so that they can attend the said marriage.

4. The learned APP has pointed out that on earlier occasions when the petitioners were released on furlough, there was delay in reporting back to the prison. However, it is an admitted fact that petitioner No.1 was last released on furlough on 18.2.2004 and on the said occasion, he was reported back in time. Moreover, petitioner No.1 had been released on parole on three occasions and on each of these occasions, he has reported back in time. So also, as far as petitioner No.2 is concerned, it is an admitted fact that, on the last occasion i.e. 11.10.2004 when he was released on furlough, he has reported back in time. So also, it is an admitted fact that petitioner No.3 when on last occasion i.e. 8.9.2004 was released on furlough, he has reported back in time.

5. In this view of the matter, we are of the opinion that furlough can be granted to the petitioners by imposing some additional conditions on them.

6. The petitioner Nos.1 to 3 be released on

furlough latest by 26th April, 2006 on the petitioners complying with the usual terms and conditions. In addition thereto, the petitioners shall furnish two sureties, they shall inform the jail authorities the address at which they will reside during the period that they are on furlough, and they shall report to the nearest police station to that address on every alternate day, during the period that they are on furlough.

7. Rule is made absolute in above terms.

8. Office to issue an authenticated copy of this order, immediately.

(D.G.DESHPANDE, J.)

(SMT.V.K.TAHILRAMANI,J.)